

**Wittels
McInturff
Palikovic**

January 30, 2024

Via ECF

Honorable James L. Cott
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *Franck v. New York Health Care Inc.*, Case No. 21-cv-4955 (GHW) (JLC)

Dear Judge Cott,

The parties write pursuant to Your Honor's Individual Rule I.E to request that the Court extend the stay and deadline for the parties to file their preliminary approval papers in the above-captioned action for an additional 21 days, until February 23, 2024.

The reason for this request is that unanticipated disagreements arose in memorializing certain final settlement terms. After multiple conferences over the past two weeks, with the latest meet and confer taking place earlier this afternoon, the parties are hopeful that all differences have now been resolved. Final resolution of the disputed issues, however, requires client approval. In addition, and as part of this same conferral process, Defendants have agreed to provide supplemental data that may bear on the preliminary approval presentation made to the Court. Defendants are in the process of providing this data to Plaintiffs. Finally, the parties are still in the process of selecting and retaining a notice administration firm to serve as the settlement administrator in this matter.

The parties therefore require a modest 21-day extension to afford sufficient time for the parties to finalize the full settlement agreement and prepare the preliminary approval application. In accordance with Your Honor's Individual Practice I.E, the current expiration of the stay and preliminary approval deadline is February 2, 2024. Your Honor previously granted an extension of the stay and preliminary approval papers on January 9, 2024 (ECF No. 220). All parties consent to the requested extension.

Thank you for the Court's consideration of this request.

Respectfully submitted,

/s/ Ethan D. Roman
Ethan D. Roman

cc: All counsel of record (via ECF)